

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Vance, et al.	)	Examiner:	Vinod Kumar
Serial Number:	10/623,930	)	Group Art Unit:	1638
Filed:	July 21, 2003	)	Customer Number:	22827
Confirmation No.:	6465	)	Deposit Account:	04-1403
Title:	Compositions and Methods for the Modulation of Gene Expression in Plants	)		

**AMENDMENT FILED AFTER THE FILING OF AN APPEAL AND PRIOR TO  
THE DATE OF AN APPEAL BRIEF**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

	Claims remaining after amendment		Highest number previously paid for		Present Extra		Additional Fee
Total Effective Claims	<u>8</u>	minus	<u>26</u>	=	<u>0</u>	x \$ 52 =	\$ <u>0.00</u>
Independent Claims	<u>2</u>	minus	<u>3</u>	=	<u>0</u>	x \$ 220 =	\$ <u>0.00</u>

- ☐ A Request for Continued Examination is requested in view of the: (\$810) \$ 0.00
- ☐ Previously submitted Amendment / Response dated \_\_\_\_\_
- ☐ Enclosed Amendment / Reply
- ☐ Enclosed Affidavit(s) / Declaration(s)
- ☐ Enclosed Information Disclosure Statement

Since Official Action set an original due date of N/A,

**PETITION** is hereby made for an extension to cover the date this  
response is filed for which the requisite fee is enclosed (1 month \$130;  
2 months \$490; 3 months \$1,110; 4 months \$1,730, 5 months \$2,350

\$ 0.00

If amendment enters proper multiple dependent claim(s) into this application  
for first time, add \$390.00 (per application) \$ 0.00

If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$140.00) \$ 0.00

Other: \_\_\_\_\_ \$ 0.00

**SUBTOTAL:** \$ 0.00

If "small entity" verified statement filed ☐ previously,  
☐ herewith, enter one-half (½) of subtotal and subtract - \$ 0.00

**TOTAL FEE ENCLOSED:** \$ 0.00

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The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof. This statement does not authorize charge of the issue fee in this case.

**DORITY & MANNING ATTORNEYS AT LAW, P.A.**

**ADDRESS:**

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By: Christina L. Mangelsen Reg. No: 50,244

Signature: 

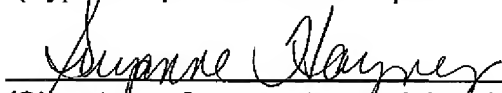
Date: December 16, 2009

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I hereby certify that this correspondence and all attachments and any fee(s) are being electronically transmitted via the internet to the U.S. Patent and Trademark Office using the Electronic Patent Filing System on December 16, 2009.

Suzanne Haynes

(Typed or printed name of person transmitting documents)

  
(Signature of person transmitting documents)

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For: Compositions and Methods For The	) Deposit Account No: 04-1403
Modulation of Gene Expression In	)
Plants	) Customer No: 22827

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Honorable Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accord with MPEP §1206 (I)(B), and prior to the filing of an Appeal Brief,  
Appellants present the following:

**Amendment to the Claims** beginning on page 2 of this paper, and  
**Remarks** beginning on page 5 of this paper.